

REMARKS/ARGUMENTS

This response is submitted in reply to the Office Action dated March 28, 2008. Claims 1-45 currently stand rejected. Applicants note with appreciation the Examiner's thorough examination of the application as evidenced by the Office Action. Applicants have amended independent claims 1, 25, and 44 to more particularly distinguish the claimed invention from the cited references. New independent claims 46 and 48-49 have been added to further define patentable aspects of the invention. New dependent claim 47 has also been added. Claim 20, which was previously an independent claim, has been amended to be dependent from new independent claim 46. Additionally, dependent claims 21 and 22 are now directly or indirectly dependent from new independent claim 46. Further, various dependant claims have also been amended. No new matter has been added by the amendment.

Claims 3-5, 8-11, 13-14, 17, 23-24, 28-43, and 45 have been cancelled, without prejudice. Accordingly, the rejections of claims 3-5, 8-11, 13-14, 17, 23-24, 28-43, and 45 are moot.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections – 35 U.S.C. §103

Claims 1-3, 6, 10-13, 20-21, 23-26, and 40-45 currently stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa et al. (U.S. Patent No. 5,657,382, hereinafter "Tamagawa") in view of Palvianen et al. (U.S. Patent No. 5,920,812, hereinafter "Palvianen"). Claims 4-5, 7-9, and 22 currently stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa and Palvianen, in further view of Pepper et al. (U.S. Patent No. 5,930,700, hereinafter "Pepper"). Claims 14-19, 27-29, 31-32, and 36-39 currently stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa and Palvianen, in further view of Shen et al. (U.S. Patent Application Publication No. 2001/0010691, hereinafter "Shen"). Claims 30 and 33-35 currently stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa, Palvianen, and Pepper in further view of Shen.

Independent claim 1, and similarly independent claims 25, 44, 46, 48, and 49, recite, *inter alia*, sending a notification...when a break-off condition is fulfilled. The cited references fail to teach or suggest responding to a break-off condition either alone or in combination. In particular, Tamagawa and Palvianen, alone or on combination, fail to teach or suggest sending a notification when a break-off condition is fulfilled. Accordingly, Applicants respectfully submit that the amended independent claim 1, and the additional independent claims 25, 44, 46, 48, and 49 are patentable over Tamagawa.

Additionally, Pepper, nor any combination of Tamagawa, Palvianen, or Pepper teaches or suggests sending a notification...when a break-off condition is fulfilled as recited in claim 1. Nor do the cited references, alone or on combination, teach or suggest the variations of utilizing a break-off condition as recited in independent claims 25, 44, 46, 48, and 49. Accordingly, Applicants respectfully submit that the amended independent claim 1, and the additional independent claims 25, 44, 46, 48, and 49 are patentable over Tamagawa, Palvianen, Pepper, and combinations thereof.

Claims 2, 6-7, 12, 15-16, 18-22, and 26-27 depend directly or indirectly from respective ones of independent claims 1, 25, 44, 46, 48, and 49, thus include all the recitations of the respective independent claims. As such, dependent claims 2, 6-7, 12, 15-16, 18-22, and 26-27 are patentable at least for the reasons cited above. Additionally, as stated above, the rejections of 3-5, 8-11, 13-14, 17, 23-24, 28-43, and 45 are moot due to these claims being cancelled.

Accordingly, Applicants respectfully submit that the rejection of claims 1-2, 6-7, 12, 15-16, 18-22, 25-27, 44 are overcome, and the claims are now in condition for allowance. Further, Applicants respectfully submit that new claims 46-49 are also in condition for allowance.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned representative to resolve any remaining issues in order expedite examination of the present application.

Appl. No.: 10/069,320
Amdt. Dated 06/25/2008
Reply to Office Action of March 28, 2008

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Nathaniel T. Quirk
Registration No. 60,676

CUSTOMER No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
LEGAL02/30855790v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JUNE 25, 2008.